

PROB 12C
(7:93)

Report Date: May 7, 2015

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: James Greg Gutierrez

Case Number: 2:12CR00044-JLQ-2

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: September 28, 2012

Original Offense: Count 1: Manufacturing of Marijuana, 21 U.S.C. § 841(a)(1)
Count 2: Unlawful User of a Controlled Substance in Possession of a Firearm, 18 U.S.C. § 922(g)(3)

Original Sentence: Prison 30 days
TSR - 60 days

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: October 28, 2012

Defense Attorney: Federal Defenders Office

Date Supervision Expires: October 27, 2017

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violation previously reported to the Court on November 21, 2014, and to issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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2

Special Condition # 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On April 6, 2015, Mr. Gutierrez reported to the U.S. Probation Office in Spokane, Washington, and provided a urine sample which revealed inconclusive results for the presence of cocaine. Subsequently, the urine sample was sent to Alere Toxicology Services (Alere) for confirmation. On or about April 15, 2015, Alere confirmed the aforementioned urine sample was positive for the presence of cocaine.

On April 27, 2015, the undersigned officer confronted Mr. Gutierrez about the positive result. Mr. Gutierrez denied using cocaine.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation contained in this petition.

Prob12C

Re: Gutierrez, James Greg**May 7, 2015****Page 2**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 7, 2015

s/Erik Carlson

Erik Carlson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other


Signature of Judicial Officer

5/17/2015
Date